

Date: June 11, 2003 Planning Commission Meeting

Item No.

MILPITAS PLANNING COMMISSION AGENDA REPORT

Category: Public Hearing

Report Prepared by: Troy Fujimoto

Public Hearing: Yes: X No:

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******CONTINUED FROM MAY 28, 2003 MEETING******

TITLE: USE PERMIT AMENDMENT NO. P-UA2002-8

Proposal: A request to add 17 seats (12 to the dining room and 5 in the waiting area) and beer and wine sales at an existing restaurant (Tofu House) without adding the six (6) parking spaces required for the expansion.

Location: 231 West Calaveras Boulevard

APN: 022-25-041

RECOMMENDATION: Approval with Conditions

Applicant: Sung Ho Yoon, 231 West Calaveras Boulevard, Milpitas, CA 95035

Property Owner: Lisa Lo, 1105 Tanglewood Way, San Mateo, CA 94403

Previous Action(s): "S" Zone Approval, Use Permits

General Plan Designation: General Commercial

Present Zoning: General Commercial with an "S" Zone Overlay (C2-S)

Existing Land Use: Multi-tenant shopping center

Agenda Sent To: Applicant/Owner (as noted above)
Albert Kim, 460 Boulevard Way, Oakland, CA 94610

Attachments: Plans
Planning Commission Resolution No. 168

PJ#2245

BACKGROUND

The Calaveras Plaza development was granted "S" Zone approval by the Planning Commission in 1976. Since then, amendments to the approval have been obtained, including modifications to architectural elevations, sign proposals, parking lot re-striping and gates. In 1995, the Planning Commission approved a parking lot re-striping that resulted in 431 stalls, however, a more recent re-striping reduced the parking supply to 416 spaces. Numerous use permits have also been approved for various projects within the plaza.

Initially the tenant space was a bakery, it was later discovered that it was illegally converted into a restaurant. Thus, the City worked with the applicant to apply for a use permit. In July 2001, the Planning Commission approved the existing Tofu House restaurant (Use Permit No. 1586). The applicant has since returned back to the Planning Commission to increase their seating at the restaurant and include beer and wine sales. At the time of initial application, the applicant did not apply for their desired amount of seating because it was not known whether there was adequate excess parking supply to justify the increase in seats.

The application has had multiple continuations at the Planning Commission. Initially, when the applicant was ready to submit for Planning Commission review, a string of setbacks befell the applicant. Initially the original representative fell ill and could not continue in her original capacity, and then the applicant went through a transitional stage where he tried to find someone else to replace the previous representative. Subsequently, he did find someone new, but had to start over due to a lack of information from the previous representative. In addition, a new parking survey was required, since the previous survey was over a year old. As such, the applicant is now applying for the increase in seating, the addition of beer and wine sales and a parking reduction.

Site Description

The Calaveras Plaza is a neighborhood shopping center with two relatively large tenants (Save Mart and Kinko's) along with several smaller retail tenants, restaurants and two freestanding buildings (Burger King and Cal-Fed Bank). The 7.63-acre site contains approximately 75,000 square feet of retail space and is situated on four parcels. The site is located north of West Calaveras Boulevard and west of Butler Street. To the north and west of the shopping center are single-family residential uses. To the south is the Serra Center and other retail uses.

In the past there have been noise, odor and garbage problems associated with various restaurants (Mr. Chau's) in the shopping center. Past problems included improper food disposal, improper storage of garbage, odor problems and noise from garbage pickup and truck deliveries. At the time of the violations, steps were taken to rectify the problem including requiring the installation of an "Odorestor" device to control odors and construction of a new fence to help suppress noise.

THE APPLICATION

This Use Permit Amendment No. P-UA2002-8 application is submitted pursuant to Section 19.03-36 (General Commercial, Conditional Uses, Restaurants which include on-site consumption of alcoholic beverages) and Section 57.02-18 (Conditional Uses, Permit the modification of automobile parking space requirements) of the Milpitas Zoning Ordinance.

The applicant originally requested approval to add 43 additional seats, however, after discussion with the City and identifying requirements for 80 seats, the applicant has since decided to add 12 seats to the dining area for a total of 49 seats and 5 seats in a new waiting area. In addition the applicant is requesting to add beer and wine sales and a seven (7) space parking reduction. The proposed restaurant would not have outdoor seating and the hours of operation will be from 10:30 a.m. to 10 p.m.

PROJECT DESCRIPTION

Site Layout and Access: The existing building is located on the northeastern portion of the property. The building is in a "C" shape with parking mainly to the north and south. There are also two freestanding buildings, one at the corner of Butler Street and Calaveras Boulevard and one at the southwest corner of the property. Solid waste handling and deliveries occur at the rear of the building (on the north end of the property). Access to the site is located off of Calaveras Boulevard, Butler Street and from the shopping center to the west.



Tenant space looking north

Floor Plan: The restaurant will continue to have the kitchen at the rear of the site and the main, 49-seat dining area in the middle of the tenant space. As part of the application, there will be a new waiting area at the front of the tenant space.

ISSUES

USE PERMIT FINDINGS

Any approval of a Use Permit or Use Permit Amendment requires that the Planning Commission make the following findings:

1. The proposed use is consistent with the Milpitas Zoning Ordinance.
2. The proposed use is consistent with the Milpitas General Plan.
3. The proposed use, at the proposed location will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety, and general welfare.

The following sections explain how these findings can be made for the proposed project, as conditioned.

Conformance with the Zoning Ordinance

The restaurant is a conditional use in the General Commercial Zoning District (C-2). This district's purpose is to "provide for a wide range of retail sales and personal and business services accessed primarily by the automobile." The project, with recommended conditions of approval, will be able to accommodate more patrons, which will better serve the community.

Pursuant to Section 19.03-36, the proposed use is consistent with the General Commercial "C2" Zoning District. As such, restaurant uses which include on-premises consumption of alcoholic beverages when found incidental to the primary food service are permitted following review and approval by the Planning Commission. In this case the applicant is proposing the sales of beer and wine in conjunction with the food service only. Therefore, the proposed beer and wine sales is incidental to the primary food service.

The project is located within the Midtown Specific Plan area, however, because this will be located in an existing building and does not trigger an Midtown upgrades (triggers include-new building, 50% more parking required for use, or increase of gross floor area by 10% or over 500 square feet), the proposed project is not subject to the Midtown Design Guidelines and Standards.

Conformance with the General Plan

The project conforms to the General Plan in that the use directly relates to:

Implementing Policy 2.a-1-3, which encourages economic pursuits, which will strengthen and promote development through stability and balance,

Implementing Policy 2.a-1-6, which endeavors to maintain a balanced economic base that can resist downturns in any one economic sector, and

The proposed addition of seats and beer and wine to an existing restaurant will maintain this business in its location and will increase its attraction to patrons of the shopping center. It will help to maintain the vitality of the shopping center.

Parking Requirements:

Pursuant to Section 53.23-2 part (6) of the Milpitas Zoning Ordinance, the required parking for the additional seating would be six (6) spaces based on one stall per three (3) seats plus an additional 10% for employee parking.

When the shopping center was developed, parking was provided at a ratio of one stall per 200 square feet of retail space. Since the shopping center was developed, there was an approval to add 52 stalls, which in part was used to accommodate other uses. This brought the total parking supply and demand to 431 parking stalls. This tenant space has an allocation of 13 stalls based on 2,640 square feet. The shopping center has since undergone a re-striping of the parking lot, which modified the total amount of parking spaces to 418. Currently, based on existing uses, there is no excess parking supply at the shopping center. In addition, it should be noted that there was a nine (9) space parking reduction for a neighboring restaurant in July 2002.

Because there is no adequate parking for the proposed expansion of the restaurant, per Zoning Ordinance parking standards, staff required that a parking study be done to identify if there is

excess parking capacity at the shopping center. The survey was done during four days of the week (Wednesday through Saturday in February). The results of the survey help staff determine whether a parking reduction could be recommended for Calaveras Plaza.

Number of Cars in Calaveras Plaza Parking Lot*				
	February 12, 2003	February 13, 2003	February 14, 2003	February 15, 2003
AM				
10:00	187	135	118	123
11:00	233	144	138	138
12:00	271**	202	250	181
PM				
1:00	228	226	253	213
2:00	193	172	178	193
3:00	159	161	172	N/A
4:00	162	154	146	N/A
5:00	185	149	164	N/A
6:00	191	152	202	N/A

* Based on a total supply of 418 parking spaces.

** Represents the peak amount of the cars during any hour of the survey.

The study was performed during peak usage of the shopping center (during the lunch and dinner rush). The peak usage of the parking lot occurred during the 12:00PM to 1:00PM hour on a Wednesday afternoon. At this time there were 271 cars using the parking lot. Based on the shopping center supply of 418 stalls, there were 146 vacant stalls within the parking lot.

Based on this excess supply, staff believes that there is sufficient capacity to accommodate the 6 additional stalls that the restaurant would require (based on 17 additional seats). Staff believes that with a 10% vacancy factor (for circulation purposes) built into the parking supply there is more than enough excess parking capacity for 6 vehicles.

Odor/Solid Waste

The expanded restaurant will generate additional food wastes, which, if not properly disposed of could create odors that impact the adjacent residential neighborhood. When this restaurant was originally approved in June 2001 (Use Permit No. 1586), the Planning Commission imposed a number of special conditions to mitigate potential odor impacts on the adjacent neighborhood such as regular cleaning of the refuse area, use of odor control devices ("Odorester") at the dumpster and educating employees on proper waste disposal. Since the approval of the restaurant, staff has not received any complaints regarding odor or garbage issues.

Because the expanded restaurant is expected to generate increased amounts of garbage and because currently there are no garbage enclosures at the rear of the building, **staff recommends** that the applicant provide a garbage enclosure to accommodate their bins associated with their business. This will keep garbage bins in a proper location and prevent them from blocking required parking spaces. The enclosures will also aesthetically improve the rear parking lot area for the public that accesses this area.

It should be noted that there are other projects currently in the Planning process that will be required to construct garbage enclosures at the site. Thus, the goal is to have all applicants of the center that impact garbage to coordinate to provide new garbage enclosures.

Noise

There have not been any recent complaints in regards to noise emanating from the shopping center. A reconstructed fence was built at the shopping center (as a Condition of Approval of Use Permit No. 1506), to address noise complaints.

Use Permit No. 1586 and Compliance with Approved Special Conditions

When the Planning Commission approved Use Permit No. 1586 for the restaurant, a number of special conditions were placed on the project. Since this approval, the applicant has complied with a number of the conditions. However, there are still outstanding conditions of approval. These items are solid waste and odor equipment related. In particular, Special Conditions No. 11 through 13.

Special Condition No. 11

Prior to building permit issuance, the applicant shall submit tenant improvement plans that incorporate the following requirement: All floor drains, trash compactors, and indoor or covered mat and equipment washing areas shall drain to the sanitary sewer. (P)

Special Condition No. 12

Prior to building permit issuance, the applicant shall submit tenant improvement plans that incorporate a scrubber, or similar equipment, on the roof vent to control odors. The equipment shall be screened from view to the approval of the Planning Division and reflected on the tenant improvement plans. (P)

Special Condition No. 13

Prior to building permit issuance, the applicant shall submit a faxed copy of a signed customer service agreement as evidence of an active tallow account with San Jose Tallow or Salinas Tallow. Fax customer service agreement to 408-586-3305, attention Barbara Daniels, Utility Engineering – Solid Waste. Questions may be directed to 408-586-3353. (SW)

In addition, it has been brought to staff's attention that the restaurant has exceeded the allowed seating (37-seats) on more than one occasion.

Due to these concerns **staff recommends** a fully noticed public hearing, six-month review from the June 11, 2003 Planning Commission date, for the purposes of compliance with all Special

Conditions attached to this project (Use Permit No. 1586 and Use Permit Amendment No. P-UA2002-8). It is the full expectation that the applicant will be making a good faith effort towards fulfillment of all conditions of approval.

Neighborhood/Community Impact

This proposed restaurant expansion is expected to have a positive community impact by providing a complementary use to the existing retail uses currently located in the shopping center. Therefore, staff concludes that the restaurant as conditioned, will not negatively impact the surrounding neighborhood.

RECOMMENDATION

Close the Public Hearing. Approve Use Permit Amendment No. P-UA2002-8, based on the Findings and subject to the Special Conditions listed below:

FINDINGS

1. The proposed project is categorically exempt from further environmental review pursuant to Class 1, Section 15301 (Existing Facilities) of the State CEQA Guidelines.
2. The proposed restaurant expansion is consistent with the City of Milpitas Zoning Ordinance in terms of it being a conditionally permitted use in the General Commercial zoning district and serves automobile users.
3. The proposed restaurant expansion is consistent with the City of Milpitas General Plan in terms of land use and because the restaurant is compatible with neighboring retail businesses and promotes diversification of the local economy.
4. As conditioned, the proposed restaurant use will not be detrimental or injurious to the public health, safety, and general welfare to adjacent future tenants or the surrounding community because the proposed restaurant will construct a new garbage enclosure and utilize an "Odorestor".
5. The proposed addition of seats and alcohol, as conditioned, will not impact parking at the Calaveras Plaza Shopping Center because the site has excess parking capacity to support additional seats.

SPECIAL CONDITIONS (New or modified conditions are *italicized* and underlined)

1. *Use Permit Amendment No. P-UA2002-8 is for a 2,640 square foot restaurant operating from 10:30 a.m. to 10 p.m., as depicted on the approved plans dated June 11, 2003, and as amended by the approved special conditions. Any addition of seating or change in nature of the operation shall require review and approval by the Planning Commission of an amendment to this Use Permit. Minor changes, as per Sec. 42-10 of the Milpitas Zoning Ordinance, to approved plans may be approved by the Planning Division staff. (P)*
2. *The maximum approved seating for this restaurant is 54 indoor seats (49 in the dining area and 5 in the waiting area). Prior to issuance of a certificate of occupancy for this use, a sign measuring at least 8½ inches by 11 inches, with a lettering height of at least 3 inches, shall be placed in a conspicuous location near the restaurant front entrance stating "Maximum*

dining room seating: 49, as per Use Permit No. P-UA2002-8 granted by the Planning Commission on June 11, 2003," (P)

3. The applicant shall comply with Planning Commission Resolution No. 168, a resolution of standard conditions for commercial development. (P, old)
4. This use shall be conducted in compliance with all appropriate local, state and federal laws and regulations, and in conformance with the approved plans. (P, old)
5. Prior to building permit issuance, the applicant shall submit to the Planning Division a program assigning restaurant staff responsibility for complying with the following guidelines. The restaurant shall adhere to the following guidelines in perpetuity: (P, old)
 - a. Keep garbage dumpsters clean inside and out; replace very dirty dumpsters with new, clean ones.
 - b. Double or triple bag waste to prevent leaking.
 - c. Place, do not drop or throw, waste-filled bags, to prevent leaking.
 - d. Keep the ground under and around the garbage dumpsters swept.
 - e. Sprinkle the ground lightly after sweeping with a mixture of water and a little bleach.
6. The business owner shall hold training sessions to instruct their employees on the proper procedures in the handling and disposal of food items; the general maintenance and use of the compactor and any other procedures that would assist the business in complying with all State and local health and sanitation standards (refer to the County of Santa Clara Department of Environmental Health at (408) 729-5155 for their guidelines). Prior to building permit final, the business owner shall submit an outline of the format and number of training sessions to the Planning Division to address; training in preparation for opening, for new employees, and for annual recurring training. (P, old)
7. Prior to building permit issuance, the business owner shall post signs (in English, Spanish, Korean and Vietnamese) inside the premises for all employees, which identify procedures for the food delivery and disposing of garbage. (P, old)
8. Prior to building permit issuance, the applicant shall submit tenant improvement plans that incorporate an indoor mat and equipment washing area, which drains to the sanitary sewers. (P, old)
9. Washing of containers and equipment shall be conducted in the kitchen area such that wash water may drain into the sanitary sewer. (P, old)
10. Prior to building permit issuance, the applicant shall submit tenant improvement plans that incorporate the following requirement: All floor drains, trash compactors, and indoor or covered mat and equipment washing areas shall drain to the sanitary sewer. (P, old)
11. Prior to building permit issuance, the applicant shall submit tenant improvement plans that incorporate a scrubber, or similar equipment, on the roof or vent to control odors. The equipment shall be screened from view to the approval of the Planning Division and reflected on the tenant improvement plans. (P, old)

12. Prior to occupancy permit issuance, applicant or the shopping center owner shall construct a trash enclosure or show proof of the use of a trash enclosure or compactor. The proposed enclosures shall be designed per the Development Guidelines for Solid Waste Services. City review/approval is required prior to construction of the enclosures. (P,E)
13. Prior to building permit issuance, the applicant shall submit a faxed copy of a signed customer service agreement as evidence of an active tallow account with San Jose Tallow or Salinas Tallow. Fax customer service agreement to 408-586-3305, attention Barbara Daniels, Utility Engineering – Solid Waste. Questions may be directed to 408-586-3353. (E, old)
14. Prior to occupancy permit issuance, the applicant shall submit evidence to the City that the following minimum refuse and recycling services have been maintained/subscribed with BFI for commercial use:
 - a. Maintain an adequate level of service for trash collection. Level of service will be monitored by BFI, for both garbage and recycling and if any overloading is reported, frequency of the existing services level must be increased.
 - b. Maintain recycling services including separate services for beverage containers.
 - c. Maintain a tallow account and keep the tallow bins clean.

The solid waste service shall be evaluated by BFI commercial representative to determine the adequacy of the service level. If it is found to be inadequate, the applicant shall increase the service to the level determined by the evaluation. For general information, contact BFI at (408) 432-1234. Prior to building permit issuance, an "Odorestor" unit shall be installed on the garbage bin and maintained in good working order. "Odorestor" units may be ordered through BFI. Please contact Cynthia Jackson, BFI Customer Service Supervisor, at (408) 432-1234 for more information. (E)
15. Prior to building permit issuance, the applicant shall provide BFI with a key for the gate entry at the rear of the building. (E, old)
16. Any signage for the restaurant shall conform to the adopted sign program for this shopping center, and the applicant shall obtain all necessary signage permits prior to sign installation. (P, old)
17. Within 6 months of June 11, 2003, this Use Permit No. P-UA2002-8 shall be reviewed by the Planning Commission in order to verify compliance with all the special conditions of approval. The applicant shall submit all necessary public hearing notification materials and fees. (P)
18. Prior to building permit issuance, the property owner shall submit a letter to the Planning Department, stating that staff has provided to a copy of the City zoning regulations pertaining to restaurants. (P, old)
19. If at the time of application for permit there is a project job account balance due to the City for recovery of review fees, review of permits will not be initiated until the balance is paid in full. (P)

20. If at the time of application for a certificate of occupancy there is a project job account balance due to the City for recovery of review fees, a certificate of occupancy shall not be issued until the balance is paid in full. (P)

(P) = Planning Division

(E) = Engineering Division

(old) = From Previous Use Permit No. 1586

NOTES TO THE APPLICANT

The following notes pertain to administration of the City codes and ordinances that are not part of the Zoning Ordinance regulations. The applicant shall not consider these notes as approval from any department. Additional requirements may be made prior to permit issuance. These notes are provided to assist in the permit process if approval is granted.

Engineering Division (It is anticipated that the following will apply to subsequent actions regarding this property):

1. It is the responsibility of the applicant to obtain any necessary approvals or permits from affected agencies or private parties. Copies of these approvals or permits must be submitted to the City of Milpitas Engineering Division.
2. Prior to building permit issuance, developer must pay all applicable development fees, including but not limited to, plan check and inspection deposit.
3. The U.S. Environmental Protection Agency (EPA) has empowered the San Francisco Bay Regional Water Quality Control Board (RWQCB) to administer the National Pollution Elimination Discharge System (NPDES) permit. The NPDES permit requires all dischargers to eliminate as much as possible pollutants entering our receiving waters. Contact the RWQCB for questions regarding your specific requirements at (800) 794-2482. For general information, contact the City of Milpitas at (408) 586-3329.
4. The Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program shows this site to be in a Special Flood Hazard Area, Zone AE. The proposed work is considered non-substantial improvements and the zone designation is given for information only.

Building Division: (For further information regarding these notes, contact Veronica Valenti, (408) 586-3241)

1. Obtain permits from the Health Department and the Water Pollution Control prior to applying for a building permit.
2. Exit doors from waiting areas shall be provided with panic hardware as per 2001 CBC Section 1007.2.5.
3. Only the main exit door can have a sign: "This door must remain unlocked during business hours."
4. Accessible (people with disabilities) parking shall be provided per 2001 CBC, Sec. 1129B.1. Accessible parking spaces shall be dispersed and located closest to the accessible entrances.

One in every eight accessible parking spaces, but not less than one parking space, shall be accessible per Sec. 1129B.4.2.

5. Accessibility signs shall be provided at every primary public entrance, at every major junction along or leading to an accessible route of travel, and at building entrances that are accessible per 2001 CBC, Section 1127 B.3.
6. All primary entrances and required exit doors shall be accessible to people with disabilities per 2001 CBC Section 1114.B.1.3.
7. Food preparation areas shall be accessible to people with physical disabilities as per 2001 CBC, Sec. 1104B.5.8 and food services aisles and tableware areas as per Section 1104B.5.5 and Section 1104B.5.6 accordingly.
8. Sanitary facilities shall be fully accessible to people with disabilities as per 2001 CBC Section 1115B.
9. Counters provided for the public and general employee areas must be accessible at least 5%, but not less than one as per 2001 CBC, Sec. 1122B.

Fire Department: (For further information regarding these notes, contact Jaime Garcia, (408) 586-3369)

The applicant shall not consider this as approval from the Fire Department. Additional requirements may be made prior to permit issuance. These notes are provided to assist in the permit process.

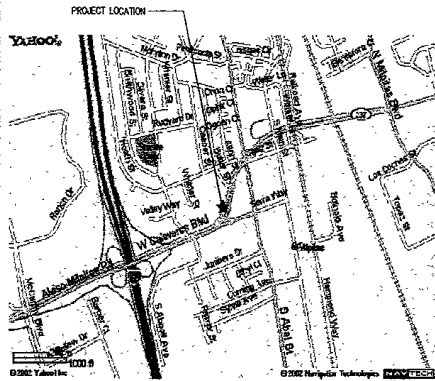
1. The 2001 triennial edition of the California Code of Regulations, Title 24 (California Building Standards Code) applies to all occupancies that apply for a building permit on or after November 1, 2002, and remains in effect until the effective date of the 2004 triennial edition.
2. Submitted drawings are not reviewed nor approved for fire permits and construction. These notes are provided to assist with the Fire Department permit process.
3. These notes are based on the assumption of Group B Occupancy for this tenant space. If tenant space is determined to be of a different occupancy classification, additional requirements may be applicable.
4. The dining room floor area shall be equal to or less than 735 SF ($735/15 = 49$). Floor area where no permanent fixtures (such as icemaker, soda machine) are located shall be counted in the floor area.
5. Portable fire extinguishers shall be installed in occupancies and locations as set forth in the code, California Code of Regulations Title 19, Division 1, and Chapters 1 and 3 and as required by the Milpitas Fire Chief. Section 1002.1 CFC.
6. Alterations to the automatic fire sprinkler system and/or the fire detection system require drawings to be submitted to the Fire Department for review and approval prior to alteration.
7. The use of candles and other open-flame decorative devices in places of assembly and drinking or dining establishments shall be in accordance with Section 1109.8, CFC.

8. Aisles shall be provided from all occupied portions of the exit access that contain seats, tables, furnishings, displays and similar fixtures or equipment. Aisles located within the accessible route of travel shall also comply with the Building Code requirements. Section 1204.1, CFC.
9. Exit doors shall swing in the direction of exit travel when serving any hazardous area or when serving an occupant load of 50 or more. Section 1207.2 CFC.
10. Exit doors shall be openable from the inside without the use of a key or any special knowledge or effort. Section 1207.3, CFC.
11. Obstructions, including storage, shall not be placed in the required width of a means of egress, except projections as allowed by the Building Code. Means of egress shall not be obstructed in any manner and shall remain free of any material or matter where its presence would obstruct or render the means of egress hazardous. Section 1203, California Fire Code.
12. When required, the path of exit travel to and within exits in a building shall be identified by exit signs conforming to the requirements of the Building Code. Section 1212.2, California Fire Code.
13. The maximum flame-spread class of finish materials used on interior walls and ceilings shall be per Section 804.1, California Building Code.
14. No approval is granted under this review for use or handling of hazardous materials.
15. Complete plans and specifications for all aspects of Fire-Protection systems shall be submitted to the Fire Department for review and approval prior to system installation. Section 901.2.2 and 1001.3, California Fire Code.

PROPOSAL FOR WAITING AREA AT: SO GONG DONG TOFU HOUSE RESTAURANT

231 WEST CALAVERAS BLVD., MILPITAS, CA 95035

VICINITY MAP



OWNER

SUNGHO YOON
SO GONG DONG TOFU HOUSE
231 WEST CALAVERAS BLVD.
MILPITAS, CA 95035
TEL : (408) 262-5454

CONSULTANTS

ARCHITECT:

ALBERT D. KIM ARCHITECT AND ASSOCIATES
460 BOULEVARD WAY 2ND FLOOR
OAKLAND, CA 94610
TEL: (510) 652-4380
FAX: (510) 652-2727

SHEET INDEX

A0 COVER SHEET & SITE PLAN
A1 FLOOR PLAN/ DETAILS

APPLICABLE CODES:

1998 CALIFORNIA BUILDING CODE (1997 USC)
1998 CALIFORNIA FIRE CODE (1997 UFC)
1998 CALIFORNIA ELECTRICAL CODE (1996 NEC)
1998 CALIFORNIA PLUMBING CODE (1997 UPC)
1998 CALIFORNIA MECHANICAL CODE (1997 UMC)
1998 CAC T-24 HANDICAPPED ACCESS
1998 CAC T-24 ENERGY CONSERVATION

PROJECT DATA

OCCUPANCY : B
CONSTRUCTION TYPE : V-N
FULLY SPRINKLERED.
TOTAL AREA OF RESTAURANT : 2,760 SF
TOTAL SEATING CAPACITY TO BE 49
TOTAL EXISTING PARKING AT THE MALL: 420 STALLS
(INCLUDING 10 HANDICAP)
DINING AREA : 748 S.F.
WAITING AREA : 195 S.F.

PROJECT DESCRIPTION :

PARTITION ADDITION TO REDUCE SITING AREA TO 49 SEATS.

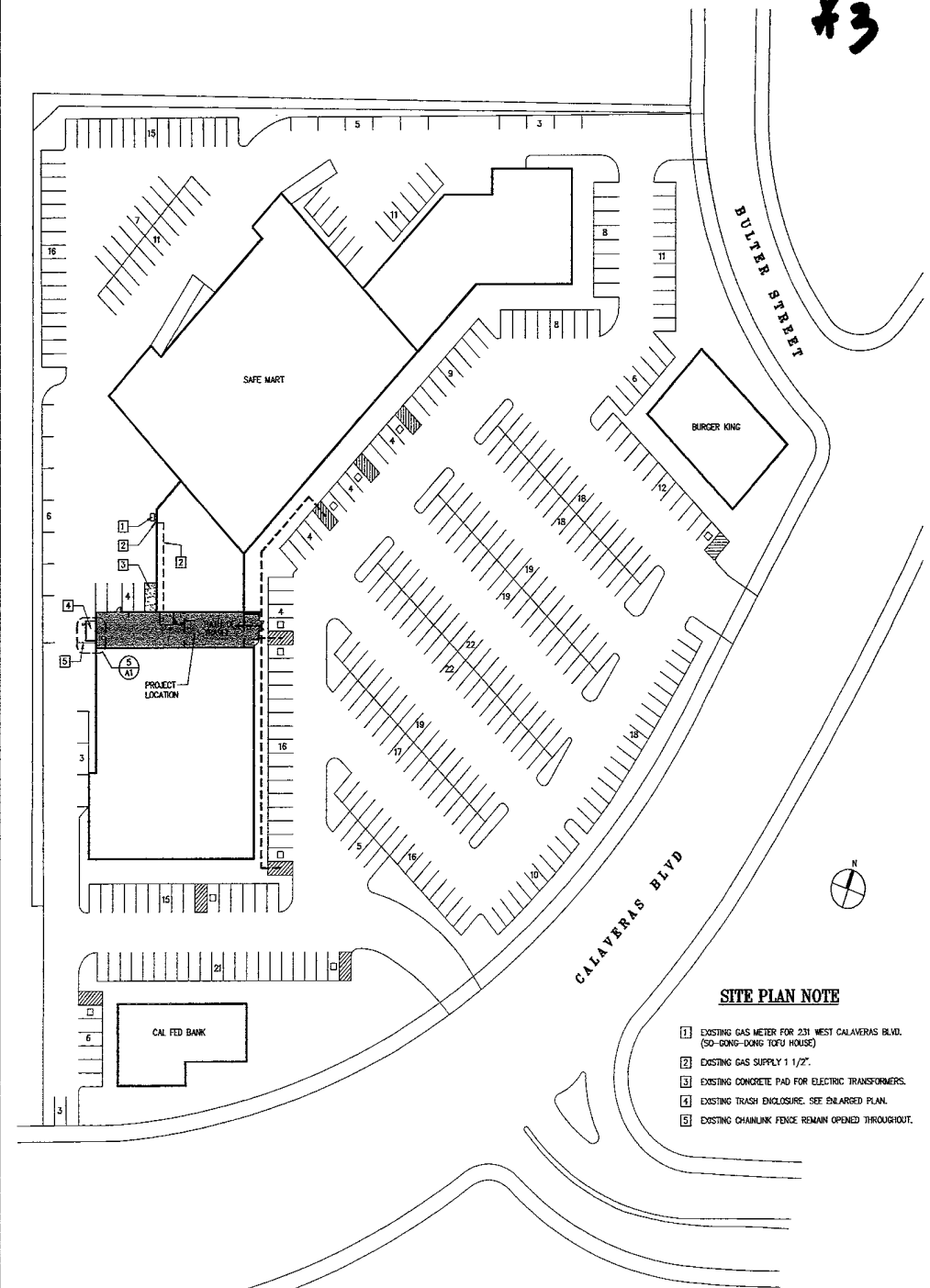
NOTE:

1. NO STRUCTURAL WORK OR MODIFICATION IS PERFORMED WITH THIS SUBMITTAL. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY EXISTING STRUCTURAL PROBLEM.
2. NO CHANGES OR ALTERATIONS MADE TO THE EXISTING RESTAURANT. EXTENT OF THIS SUBMITTAL IS FOR PLANNING REVIEW ON PROPOSED NUMBER OF SITING.

- NO CHANGES TO LIGHTING.
- ANY REVISION TO (E) SPRINKLER WILL BE DESIGN BUILT AT THE INSPECTION OF EXISTING CONDITION BY BUILDING OFFICIAL.
- HOURS OF OPERATION: MON. - SAT. (6 DAYS/WEEK),
11:00 AM - 9:00 PM (10 HOURS / DAY)

1 EXISTING SITE PLAN/ PARKING

SCALE : 1" = 40'-0"



SITE PLAN NOTE

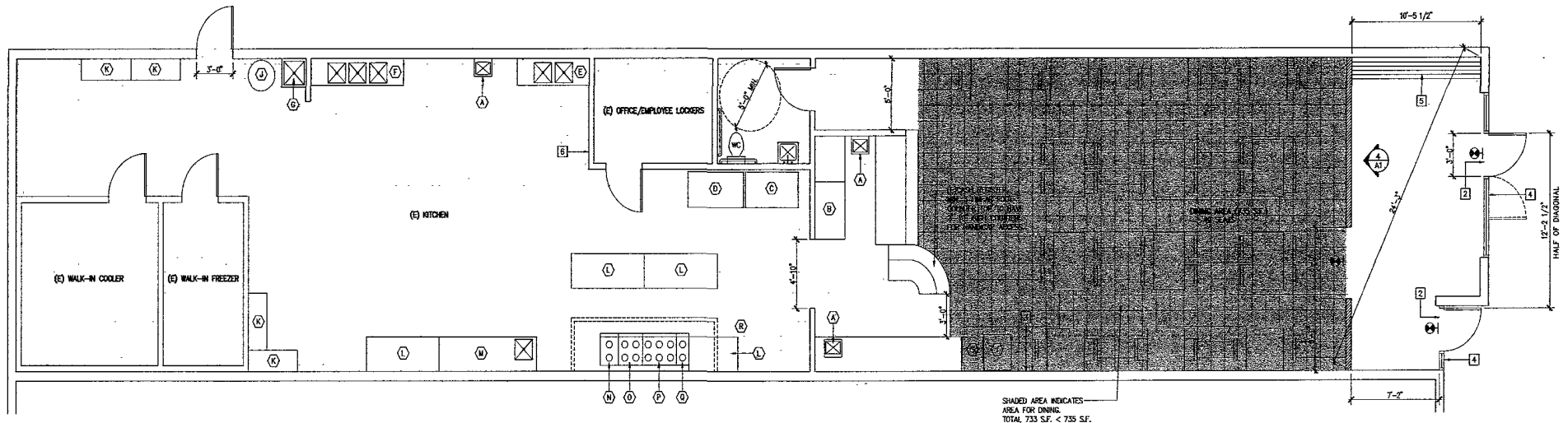
- 1 EXISTING GAS METER FOR 231 WEST CALAVERAS BLVD. (SO-GONG-DONG TOFU HOUSE)
- 2 EXISTING GAS SUPPLY 1 1/2".
- 3 EXISTING CONCRETE PAD FOR ELECTRIC TRANSFORMERS.
- 4 EXISTING TRASH ENCLOSURE. SEE ENLARGED PLAN.
- 5 EXISTING CHAINLINK FENCE REMAIN OPENED THROUGHOUT.

REVISIONS BY
COVER SHEET/
EXISTING SITE PLAN

SEATING PROPOSAL AT :
SO GONG DONG TOFU HOUSE RESTAURANT
231 WEST CALAVERAS BLVD., MILPITAS, CALIFORNIA 95035

ALBERT D. KIM
ARCHITECT and
ASSOCIATES
460 Boulevard Way
Oakland, CA 94610
USA (510)652-4380

DATE 05/31/02
SCALE AS NOTED
DRAWN CH
JOB
SHEET
A0
OF SHEETS



1 GROUND FLOOR PLAN

SCALE: 1/4" = 1'-0"

FLOOR PLAN NOTE

- 1 ALL THE DRAWINGS INDICATE EXISTING CONDITION, U.O.N. (INCLUDING ALL WALLS)
- 2 PROVIDE A SIGN ABOVE THE DOOR TO REMAIN UNLOCKED DURING BUSINESS HOURS
- 3 PROVIDE A SIGN "MAX. OCCUPANT LOAD: 48"
- 4 PROVIDE HANDICAP ACCESS SIGN NEXT TO THE DOOR.
- 5 18" HIGH BENCH FOR WAITING.
- 6 PROVIDE A SIGN IN ENGLISH, SPANISH, KOREAN AND VIETNAMESE ON PROCEDURE FOR THE FOOD DELIVERY AND DISPOSING OF GARBAGE.

EXISTING EQUIPMENT LIST

- | | |
|--------------------------|-------------------------------------|
| (A) HAND SINK | (M) WORKING TABLE W/ VEGETABLE SINK |
| (B) REFRIGERATOR | (N) RANGE |
| (C) REFRIGERATOR | (O) BROILER |
| (D) REFRIGERATOR | (P) BROILER |
| (E) 2-COMP. UTENSIL SINK | (Q) RANGE |
| (F) 3-COMP. UTENSIL SINK | (R) HOOD |
| (G) MOP SINK | (S) ICE MAKER |
| (H) WATER HEATER | (T) BEVERAGE COOLER |
| (K) WIRE SHELVING | |
| (L) WORKING TABLE | |

SPECIFICATIONS AND BTU REQUIREMENTS FOR RANGE

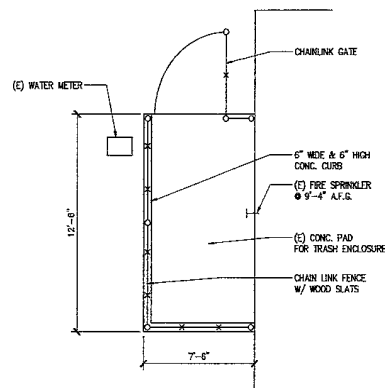
- (N) TWO STOCK POT BY IMPERIAL INDUSTRIES, 18"W x 24"D x 27"H, TOTAL BTU = 90,000 BTU
- (O) 4-BURNERS - BY DYNAMIC COOKING SYSTEMS, MODEL #: DCS24-4-24" TOTAL INPUT: 100,000 BTU/HR.
- (P) 6-26,000 BTU BURNERS BY WOLF AND ONE-30,000 BTU OVEN. MANUFACTURE MODEL #: CR-6-29 TOTAL BTU: 186,000 BTU/HR.
- (Q) TOFU GAS RANGE 18-15,000 BTU BURNERS TOTAL BTU: 270,000 BTU/HR.
- (J) WATER HEATER A.O.S.MITH 8 GALLONS/HR. TOTAL BTU: 75,000 BTU/HR.

WALL LEGEND

- EXISTING WALL TO REMAIN
NEW WALL. SEE DETAIL 2/A1.

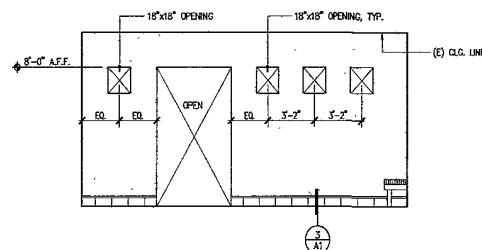
LEGEND

- ILLUMINATED EXT. SIGN, ABOVE DOOR OR OPENING.



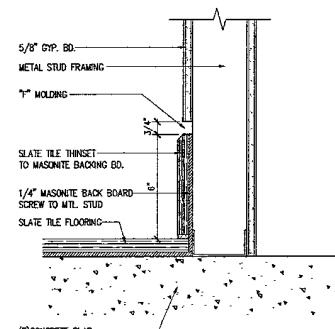
5 (E) TRASH ENCLOSURE FOR TOFU HOUSE

SCALE: 1/4" = 1'-0"



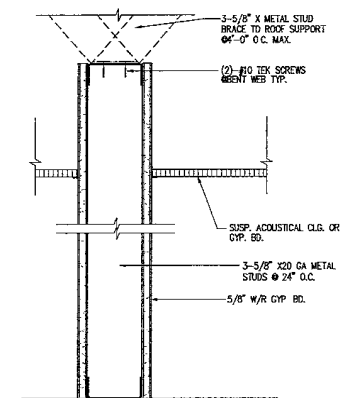
4 ELEVATION AT PARTITION

SCALE: 1/4" = 1'-0"



3 SLATE TILE AT BASE

SCALE: 3/4" = 1'-0"



2 SECTION @ NEW WALL

SCALE: 3/4" = 1'-0"

GROUND FLOOR PLAN

SEATING PROPOSAL AT:
SO GONG DONG
TOFU HOUSE RESTAURANT
231 WEST CALAVERAS BLVD., MILPITAS, CALIFORNIA 95035

ALBERT D. KIM
ARCHITECT AND ASSOCIATES
460 Boulevard Way
Oakland, CA 94610
USA (510) 652-4300

DATE: 05/31/02
SCALE: AS NOTED
DRAWN: CH
JOB:
SHEET:

A1

OP: SE:RTS

City of Milpitas

Planning Division

455 E. Calaveras Blvd., Milpitas CA 95035

(408) 942-5185

RESOLUTION NO. 168

A RESOLUTION REGARDING STANDARD CONDITIONS FOR COMMERCIAL DEVELOPMENT

WHEREAS, THE CITY PLANNING COMMISSION regards the site appearance of commercial development as being important to community pride,

WHEREAS, CERTAIN "STANDARD" CONDITIONS having consistently been required by the Planning Commission for commercial developments,

WHEREAS, THE CITY PLANNING COMMISSION wishes to aid developers in the preparation of the Site Plans for commercial developments, and to aid the Commission and staff in reducing the number of special conditions,

THEREFORE, BE IT RESOLVED, that the City Planning Commission shall require the following items to be noted on all plans submitted with building permit applications for all commercial developments:

1. Prior to issuance of a building permit, a landscape plan shall be submitted to and approved by the Planning Commission. Said plan shall indicate location and type of trees (deciduous or evergreen), shrubs and ground cover, including sizes and quantities. The applicant is encouraged to utilize mature trees at key areas or focal points on the site to compliment the existing or proposed on-site structures. The landscape plan shall comply with City Council Ordinance No. 238 (An ordinance of the City of Milpitas regulating efficient water use for new or rehabilitated landscapes and existing landscapes).
2. All planter areas shall be serviced by a sprinkler head or drip system.
3. All required landscaping shall be replaced and continuously maintained as necessary to provide a permanent, attractive and effective appearance.
4. Prior to issuance of an occupancy permit on this site, the required landscaping shall be planted and in place.
5. All landscaped planters adjacent to vehicle parking areas or travel lanes shall be contained by a full depth (6" above AC to bottom of structural section of adjacent paving) concrete curb. Where landscape planters abut a public street, a 24-inch deep water barrier shall be installed behind the curb. Plans indicating the curb elevations along public streets shall be approved by the City Engineer prior to construction.
6. All driveway approaches installed in the public right of way shall conform to Public Works Department standards.
7. Any public improvements on the frontage of the subject property that are now or that become damaged during construction shall be restored to the satisfaction of the City Engineer.

8. All on-site public and employee parking, accessways, driveways, loading or similar areas intended for public use shall be paved in accordance with MMC, Title II, Chapter 13, Section 18 as required for commercial developments.
9. All roof-top equipment shall be shielded from view in a manner to the approval of the Planning Commission or its designee as specified in Section XI-10-42.10-2 of the Milpitas Municipal Code. Prior to the issuance of any permit for any roof-top equipment which projects above the height of any existing parapet wall or screen, detailed architectural plans for the screening of this equipment and/or a line-of-sight view analysis demonstrating that the equipment will not be visible from surrounding view points shall be reviewed and approved as specified in Section XI-10-42.10-2 of the Milpitas Municipal Code, in order to assure the screening of said equipment is in keeping with and in the interest of good architectural design principles.
10. In the event that a fill of over 18 inches above the natural grade is required at the rear or side property line, a grading plan shall be reviewed and approved by the Planning Commission prior to the issuance of a grading permit.
11. On-site utility transformers, boxes, etc. located at the front of the site shall be placed underground (subsurface vaults) or be located at the rear of the property and screened from public view in a manner to the approval of the Planning Commission. For new or relocated transformers or utility boxes on existing developed sites, refer to Section XI-10-42.10-2 of the Milpitas Municipal Code.
12. The applicant shall make changes as noted on Engineering Services Exhibit "S" and return one revised set of exhibit "S" and five sets of civil engineering drawings showing all proposed utilities to the Land Development Engineer for plan check.
13. Sidewalks in street rights-of-way shall be in accordance with Standard Drawing No. 426, and shall include 4'x4' tree wells with irrigation bubbler heads connected to the City's water system. The specific tree type and interval shall be determined by the Engineering Division. Trees shall be planted in accordance with Standard Drawing No. 448 (15 gallon minimum size).
14. Whenever on-site drainage is directed to the street right-of-way, either a connection to an underground system or through curb drains shall be installed. A plan of the system, as it affects the street right-of-way, shall be approved by the City Engineer prior to construction.
15. Any work within the City's right of way requires an encroachment permit from the Engineering Division of the Public Works Department.
16. All survey monumentations shall be protected in place. Any disturbed or covered monument shall be reset by a registered civil engineer or land surveyor at the direction of the City Engineer.
17. Site distance areas as indicated on the City standard drawing shall not be obstructed. Overall cumulative height of the grading, landscaping and signs within the sight distance area shall not exceed 2 feet.

Planning Commission Resolution No. 168 adopted September 14, 1966
Latest amendment: May 27, 1998 (effective date: Oct. 15, 1998)